

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Aaron Abadi,	: Case No.: 1:23-cv-04033-LJL
	:
Plaintiffs,	: DECLARATION OF ADRIAAN
	: DANIEL PETRUS LEVENDAL IN
-against-	: SUPPORT OF EMIRATES' MOTION
	: TO DISMISS
	:
American Airlines Group, Inc., <i>et al.</i> ,	:
	:
Defendant.	:
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I, ADRIAAN DANIEL PETRUS LEVENDAL, hereby declare and state as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration.
2. I am the Manager Insurance Claims of Emirates with a business address of PO Box 686, Dubai, United Arab Emirates, and have been employed in this position since 5 December 2021.
3. My duties and responsibilities include the overall management of the Claims team and handling of insurance claims for the Emirates Group ensuring that potential claims are identified and reported to Underwriters and insurance recoveries are appropriately pursued.
4. I submit this Declaration in support of Emirates' Motion to Dismiss.
5. I am familiar with the facts and allegations contained in Plaintiff's Complaint and Supplemental Complaint and submit this Declaration based upon my personal knowledge and/or my review of the records of Emirates that are created and maintained in the regular course of its business.

6. Emirates is a corporation organized and existing under the laws of Dubai, United Arab Emirates (“UAE”) engaged in the business of the carriage by air of passengers, baggage and cargo.

7. Emirates is wholly owned by the Investment Corporation of Dubai (“ICD”) which is a decree company that is wholly owned by the Government of Dubai, UAE.

8. Emirates maintains its headquarters and principal place of business in Dubai, UAE.

9. Emirates has never maintained a principal place of business in any state in the United States, including New York or Texas.

10. Attached hereto as **Exhibit A** is a true and correct copy of a December 13, 2020 and February 8, 2021 e-mail from Emirates Reservations (“EKRES”) to Aaron Abadi.

11. At all times relevant to the Complaint and Supplemental Complaint, the office for EKRES was, and currently is, located in Dubai, UAE.

12. Attached hereto as **Exhibit B** is a December 3, 2020 medical note received by EKRES on or about February 9, 2021 from Aaron Abadi.

13. The U.S. Department of Transportation sent a letter to Aaron Abadi advising him of the outcome of their investigation regarding his disability complaint. The letter states that Emirates did not violate the ACAA or 14 CFR Part 382.19. A true and correct copy of the U.S Department of Transportation letter is attached hereto as **Exhibit C**.

14. According to Emirates records, Aaron Abadi did not:

- a) make a reservation for travel on an Emirates flight between December 2020 and the present;
- b) enter into or purchase a contract of carriage for travel on an Emirates flight between December 2020 and the present; and

c) did not travel on any Emirates flight between December 2020 and the present.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 18 January 2024



ADRIAAN DANIEL PETRUS LEVENDAL